

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14823 of 2024

Arising Out of PS. Case No.-808 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Prabhat Kumar Son Of Late Harihar Singh Resident Of Village - Mahmadpur
Gautam, P.S. - Nayagaon, District - Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rajballabh Prasad Singh Son Of Late Krishnaballabh Prasad Singh Resident
Of Village - Badalpura, P.S. - Matihani, District - Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Rakesh Kumar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2024 Heard Mr. Pritish Kumar Lal, learned counsel for

the petitioner, Mr. Rakesh Kumar Sharma, learned counsel
appearing on behalf of the informant as well as Mr. Anil Kumar,
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Begusarai Town P.S. Case No. 808 of 2022,
F.I.R. dated 14.12.2022 for the offences punishable under
Sections 467, 468, 420 and 34 of the Indian Penal Code.

3. According to prosecution case, one Poonam
Kumari fraudulently sold her land as well as land of the
informant to the petitioner.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner has purchased the piece of land from Poonam Kumari and the informant has filed the present F.I.R against Poonam Kumari and the petitioner on the ground that Poonam Kumari is not the actual owner of the land in question and Poonam Kumari in connivance with the petitioner has sold the land in question. He further submits that the petitioner has no knowledge whether Poonam Kumari is the actual owner of the land and he has purchased the land from Poonam Kumari after paying all the consideration amount.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 808 of 2022, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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